
MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HON. CHARLES S. COODY, JUDGE AT Montgomery, Alabama

DATE COMMENCED: 2/23/06 AT 9:03 a.m. to 9:25 a.m.

DATE COMPLETED: 2/23/06 TO Digital Recorded

UNITED STATES OF AMERICA *

V. *

DON SIEGELMAN, ET AL *

CASE NO.: 2:05CR119-MEF-CSC

GOVERNMENT	<u>APPEARANCES:</u>	DEFENDANT
Atty. Louis V. Franklin, Sr.	* Atty. Vincent F. Kilborn, II	
	* Atty. Doug Jones	
	* Atty. Arthur W. Leach	
	* Atty. Leslie V. Moore	
	* Atty. James Jenkins	
	* Atty. Ron Wise	
	* Atty. Ed. Blunt	

COURT OFFICIALS PRESENT:**Court Room Deputy:** Wanda Stinson**Court Reporter:** James Dickens**Law Clerk:** Corrie Long NON-JURY TRIAL OTHER PROCEEDINGS: TELEPHONE STATUS CONFERENCE**SEE MINUTES ATTACHED**

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED		
Description	Date	Location
Time	Speaker	Note
9:03:15 AM	Court	Status Conference call begins; parties on line as noted above; Discussions regarding jury composition and the Second motion for discovery records filed by Deft Scrushy; Discussions as to status of analysis of the records;
9:05:43 AM	Atty. Jenkins	Response;
9:05:52 AM	Court	Question as to how much longer the analysis is going to take;
9:06:03 AM	Atty. Jenkins	Response - not time consuming; Depends on when we get the material and what format the materials are in;
9:06:46 AM	Court	Discussion as to page 3 of the motion;
9:07:11 AM	Atty. Jenkins	Response;
9:07:25 AM	Court	Discussion as to any problems with Dr. Dunlaps analysis going forward;
9:07:46 AM	Atty. Jenkins	Response regarding that data produce;
9:09:04 AM	Court	That's the deferral information requested; Question regarding request of data of the 2005 wheel;
9:09:54 AM	Atty. Jenkins	Response as to the 10% dissparity;
9:11:09 AM	Court	Discussions as to other challenges of intentional discrimination; Discussion as to evidence of the 2005 wheel;
9:12:41 AM	Atty. Jenkins	Response as to evidence seeking;
9:13:46 AM	Court	Response;
9:14:52 AM	Atty. Jenkins	Response re: jury issue and qualified wheel;
9:15:30 AM	Court	Response - what are those discretionary non random acts are?;
9:15:35 AM	Atty. Jenkins	Response re: th deferred and excused process;
9:15:57 AM	Court	You mean what happens to those jurors after they are deferred;
9:15:59 AM	Atty. Jenkins	Response; And how are they put back into the jury pool, what percentage goes back into the jury pool and how they are scattered within the jury pool;
9:16:15 AM	Court	Discussion as to the matter of evidence and will a hearing be necessary;
9:16:28 AM	Atty. Jenkins	Yes. Have to be able to track the deferral process;
9:16:54 AM	Court	Discussion regarding readiness for hearing;
9:17:17 AM	Atty. Jenkins	Response - depends on how quickly we get data from jury people;
9:18:47 AM	Court	Will set another telephone conf after the govt's response;
9:19:29 AM	Atty. Jones	Discussions re: motions to adopt other defts' motions;
9:19:59 AM	Court	The other defts are allowed to adopt deft's Scrushy's jury challenge if haven't done so already;
9:20:43 AM	Atty. Jones	Response;

9 :21:07 AM	Court	Will enter order setting another telephone conference;
9 :21:47 AM	Atty. Jenkins	Heads up to the court on how the deferral process works;
9 :23:07 AM	Court	Response;
9 :23:43 AM	Atty. Jenkins	Response as to how the deferred jurors are scattered;
9 :24:09 AM	Court	Question to parties as to objections directing the court reporter giving a copy of this argument to the Clerk for her review;
9 :24:36 AM	Atty. Jenkins	No objections;
9 :24:41 AM	Atty. Jones	We have no objections;
9 :24:45 AM	Court	Conference call ends.